

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMUEL C. ROGERS,

Plaintiff,

v.

Case Number 16-12509

Honorable David M. Lawson

Magistrate Judge Stephanie Dawkins Davis

MICHIGAN ATTORNEY GENERAL,
MICHIGAN TENURE COMMISSION,
and MICHIGAN FRIEND OF THE COURTS,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DISMISSING COMPLAINT WITHOUT PREJUDICE**

Presently before the Court is the report issued on December 1, 2016 by Magistrate Judge Stephanie Dawkins Davis pursuant to 28 U.S.C. § 636(b), recommending that the Court dismiss the plaintiff's complaint without prejudice. Although the report stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt. #8] is **ADOPTED**.

It is further **ORDERED** that the complaint is **DISMISSED WITHOUT PREJUDICE**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: December 21, 2016

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 21, 2016.

s/Susan Pinkowski
SUSAN PINKOWSKI